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OFFICE OF PETITIONS

In re Application of :
Lee et al. :
Application No. 09/714,692 : **ON PETITION**
Filed: November 16, 2000 :
Attorney Docket No. D-6233CIP/ CLFR:190US :

This is a decision on the petition under 37 CFR 1.181, filed July 3, 2006, requesting the withdrawal of the holding of abandonment in the above-identified application and has been so treated.

The petition to withdraw the holding of abandonment is **GRANTED**.

The above-identified application was held abandoned for failure to timely reply to the Decision on Appeal mailed March 31, 2006, which set a period for reply of two (2) months. A reply was due on or before May 31, 2006. A Notice of Abandonment was mailed on June 7, 2006.

Petitioner states that the reply was in fact timely filed. To support this assertion, petitioner has submitted a copy of the return postcard, which acknowledges receipt by the U.S. Patent and Trademark Office (USPTO) on June 5, 2006 of 1. Request for Continued Examination (RCE); 2. Amendment and Response; and 3. Transmittal. Additionally, petitioner has supplied a copy of the previously mailed correspondence, which bears a certificate of mailing date of May 31, 2006.


A review of the application file shows that the above-listed documents originally submitted on June 5, 2006 (Certificate of Mailing date May 31, 2006) are of record. Further, USPTO financial records reflects payment of the \$395.00 extension of time fee on June 5, 2006.

In view of the above, the holding of abandonment is hereby withdrawn and the application restored to pending status.

A petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 does not require a fee and none has been charged.

This matter is being referred to Technology Center AU 1647 for further examination on the merits.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3206.


Liana Walsh
Petitions Examiner
Office of Petitions